

REMARKS

Claims 1 and 3-15 are pending in the instant application. Claims 1 and 3-15 have been rejected by the Examiner. Claim 1 has been amended. The Applicant submits that the claims are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

The amended claims relate to an improved safety device for a surgical device trigger. The design appears from either side to be a button that is depressible. When the button is depressed from either side, a member associated with the button slides inwardly to disengage the trigger. The entire discussion with regard to the prior art involves the Examiner's contentions that pivoting forward to back may be read upon the claim limitations describing the trigger member moving in a proximal and distal direction, and the safety button moving side to side relative to the proximal and distal directions.

Claim 1 has been amended to alleviate this language issue by noting that the side to side movement is distinct from the proximal and distal directions. If the Examiner has additional concerns, the Applicant proposes a telephone conference to facilitate prosecution.

With the language cleared up (with the understanding that side to side is distinct from the proximal and distal directions), we reiterate the following:

The cited art relates more generally to safety devices for a surgical device trigger. The Hillstead reference (US 6,830,174) teaches a paddle like device that pivots forward to disassociate a pointed portion 272 from a hole 174 in the trigger. This reference does not teach a button device that slides from one side of the device to the other to disengage the trigger (side to side being properly interpreted as being to the side of the proximal/distal movement of the trigger).

The Nobis reference (US 5,137,198) teaches a similar pivoting member, which member physically blocks the path between the trigger and the back of the handle. Only by pivoting the

block away can the trigger be pulled. As with the Hillsead reference, this reference does not teach a button device that slides from one side of the device to the other to disengage the trigger.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that the claims be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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